

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Antonia Hernandez

SUMMONS IN A CIVIL ACTION

V.
United Wire, Metal and Machine Pension Fund,
et al.

Judge Berman

CASE NUMBER:

08 CV 2507

TO: (Name and address of Defendant)

Harvey Morgan as the Administrator of the
United Wire, Metal and Machine Pension Fund
10 East 15th Street
New York, NY 10003

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Andrew W. Robertson
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005

an answer to the complaint which is served on you with this summons, within 20 (twenty) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 12 2008

CLERK

DATE

Jessica Soos
(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT /SOUTHERN DISTRICT OF NEW YORK
No. 08 CV 2507

ANTONIA HERNANDEZ,

Plaintiff,

-against-

UNITED WIRE, METAL AND MACHINE PENSION FUND, ET AL,
Defendants.

State Of New York, County of New York SS:

ROBIN RAMSON

Being duly sworn, deposes and says that he is over the age of 18 years, is not a party to this action and resides in New York.

That on the 13TH day of **MARCH 2008**, At: **2:55 PM**

At: **10 EAST 15TH STREET, NEW YORK, NEW YORK 10003**

Deponent served the Annexed: **SUMMONS IN A CIVIL ACTION, VERIFIED COMPLAINT, INDIVIDUAL PRACTICES OF HON. RICHARD M.BERMAN AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN**

Upon: **HARVEY MORGAN**, as the Administrator of the United Wire, Metal and Machine Pension Fund


PERSONAL SERVICE ON AN INDIVIDUAL

An individual, by delivering thereat a true copy to **HARVEY MORGAN** personally; deponent asked the person spoken to if he was the named defendant, and he replied in the affirmative. Upon this information and belief, deponent knew that the person spoken to was the named defendant **HARVEY MORGAN**

DESCRIPTION - Deponent describes the individual served or spoken to as follows:

Sex: **MALE** Color: **WHITE** Hair: **BROWN** App. Age: **45** App. Ht: **6'3"** App. Wt. **225**
Other identifying features:

Sworn to before me this
13TH day of **MARCH, 2008**


JOLANTYNA CAGNEY
NOTARY PUBLIC, State of New York
No. 01CA6111489
Qualified in New York County
Commission Expires June 14, 2008


ROBIN RAMSON 956-346